



Neutral Citation Number: [2026] CIGC (Civ) 19

Cause No: G 2024-0009

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CIVIL DIVISION

BETWEEN:

ROBERT HAROLD GEDDES

Plaintiff

-and-

- (1) CAROL HUDDLESTON GEDDES
(also known as CAROL HUDDLESTON)**
- (2) KIRK WELLESLEY ALEXANDER HENDRIKS**
- (3) SHAWN MARIE HENDRIKS**
- (4) ELENA MARIA GARCIA-MCLEAN**

Defendants

Appearances:

Mr Kyle Broadhurst of Broadhurst LLC for the Plaintiff

Mr Orren Merren III of Orren Merren & Company for the 2nd to 4th Defendants

Before:

The Honourable Justice Jalil Asif

Heard:

20 February 2025

Ex tempore judgment delivered: 20 February 2025

Finalised judgment approved: 1 May 2026

Civil procedure—appointment of interim guardian and receiver to hold the ring

JUDGMENT

1. It is 4.45 pm. I will give a very short judgment now on the various summonses that are before me today in order to consider whether or not to appoint a guardian and/or a receiver in relation to Mrs Carol Huddleston Geddes.
2. During the course of the hearing, I have indicated to the attorneys my dissatisfaction with the state of the procedural arrangements for these cases, which have resulted in multiple cases having been commenced in circumstances where it would have been entirely feasible and, indeed, it would have been the right thing to do to have brought all these issues within one proceeding. In any event, I have made an order earlier today that one of the proceedings, G2024-0243, should be stayed; that all evidence that has been filed in G2024-0243 should be admissible in what I am going to call the “main proceeding”, G2024-0009, without the need for that evidence to be re-filed in the proceedings; and for G2024-0009 to go forward as the main action. Having made those decisions, I have heard argument from Mr Orren Merren III on behalf of Mrs Huddleston Geddes’ children and grandchild and from Mr Kyle Broadhurst on behalf of Mr Geddes, who is Mrs Huddleston Geddes’ husband, as to the appropriate way forward.
3. In very brief summary. Mr Geddes contends that I should appoint a guardian and also should appoint a receiver, and that Mr Geddes should be the guardian and that he along with one or more of Chris Johnson and/or Russell Homer of Chris Johnson Associates, should be appointed as receivers.
4. On the other hand, Mr Merren, on behalf of Mrs Huddleston Geddes’ children and grandchild, are reluctant for the court to appoint a guardian at all on the basis, they say, that the statutory test is not properly satisfied; but if I am minded to appoint a guardian, then I should appoint joint guardians namely, Elena Maria Garcia-Mclean, who is Mrs Huddleston-Geddes’ granddaughter, along with Mr Geddes with very carefully defined powers relating to taking care of Mrs Huddleston Geddes, including a power to engage carers.

5. As far as the question of a receiver is concerned, Mr Merren's position is that rather than appoint a receiver, I should appoint a trustee, which is a category of person permitted under the rules pursuant to the statute to be appointed instead of a receiver, and that I should appoint different trustees in relation to different properties that were part of Mrs Huddleston Geddes' estate: namely, that I should appoint her son Kirk, as trustee of a property at Snug Harbor, and I should appoint Elena and Mr Geddes as trustees of what has been called the matrimonial home and an apartment at Margaritaville.
6. As I made clear during the course of argument earlier on today, it seems to me that what I have to do today is not to make final decisions on the appointment of guardians and/or receivers and/or trustees, but simply to make an interim order in order, as best I can, to hold the ring between the different warring factions within this family so that the matter can come back as soon as reasonably possible for the substantive disputes to be resolved on the basis of evidence, including oral evidence and cross-examination, so far as that is necessary.
7. I therefore stress that my decision this afternoon is only an interim decision and it is intended simply to protect the position until I, or indeed another judge who deals with this matter, can hear the totality of the relevant evidence and make final decisions based on facts and of the medical evidence as to the appropriate way forward.
8. Having heard all of the arguments, it seems to me that it is at least strongly arguable that Mrs Huddleston Geddes is not just a patient but is suffering from unsound mind and is unable to manage her affairs. So it seems to me that I am entirely justified, on an interim basis, in appointing a guardian to ensure that she is properly cared for as her dementia progresses, which appears on the medical evidence that I have seen is highly likely to happen, and given the pre-existing situation before the family disputes arose, it seems to me that the appropriate person to appoint as a guardian is Mr Geddes. And I do that on sole basis, not on a joint basis.
9. It does seem to me that Mr Geddes should, as guardian, have power, as Mr Merren suggested, to consider the employment of carers to assist him with continuing to provide care for his wife and so

in addition to the normal provisions dealing with making decisions, including medical decisions on her behalf, Mr Geddes should also have power to engage and to pay carers as appropriate and necessary for her care.

10. On the question of appointment of a trustee or receiver, I am satisfied that it is significantly more appropriate to appoint a receiver than a trustee, amongst other reasons being that the role of a receiver is much more clearly defined both in the relevant statute and in the rules in terms of the powers that are normally given to a receiver.
11. It seems to me that trying to determine the basis on which a trustee would be appointed, what their obligations would be, what roles they would perform, is likely to be time consuming and an unnecessary burden in circumstances where the position of a receiver is already fairly well settled.
12. In addition, it does seem to me that there is a real benefit in the fact that a receiver will be directly accountable to the court as an officer of the court, and that it is therefore preferable to appoint a receiver rather than a trustee.
13. In terms of the identity of the receiver, there are a lot of allegations and counter-allegations being made by the two halves of Mrs Huddleston Geddes' family. It is unfortunate this has occurred, but it is not unusual cases of this kind that come before the court. I consider that it is very important, as I described earlier in terms of holding the ring, that someone independent is appointed rather than someone within the family, which is inevitably going to lead to further conflict in terms of what decisions that person makes as regards the ongoing receivership. I also consider it important that the person appointed is an independent person in this particular case, because the allegations and counter-allegations involve the possibility, and I do not put it any higher than that at this stage, that there may have been inappropriate dealings with Mrs Huddleston Geddes' assets during the course of last year.
14. In my judgment, whoever is pointed as receiver should, at least on an interim basis, be charged with reviewing what has happened and, whilst not reaching any concluded view as to whether dealings

with assets were or were not inappropriate, they should be charged with reviewing those matters and deciding whether there is an investigation that ought to go forwards or not.

15. Having said that, I consider that there is some merit in Mr Broadhurst's suggestion that the day-to-day management of Mrs Huddleston Geddes' finances should not be passed to this independent person, which risks a disproportionate share of the work being required to be done by the independent receiver. I therefore accede to Mr Broadhurst's submission that the independent receiver should be appointed alongside Mr Geddes, in order that Mr Geddes can deal with the ongoing expenses of maintaining Mrs Huddleston Geddes until the matter can come back for a final determination.
16. So far as the powers of the receiver are concerned, in my view the receiver should have the usual powers that are set out in GCR Order 80 and, I think it is, in the Grand Court Act, but I will leave it to the attorneys to come up with a form of order that deals with that. One thing that I am concerned about is what is happening to the income from the various properties which were formerly owned by Mrs Huddleston Geddes and which, as a result of the transactions that took place last year, are now registered in the names of Mrs Huddleston Geddes and various of her children.
17. Again, in terms of holding the ring between the two halves of the family, I consider that I should order at this stage that, going forwards, all rents which are collected should be paid to the independent receiver for the independent receiver to determine how those monies should be distributed between Mr Geddes and Mrs Huddleston Geddes's children and grandchildren.
18. My purpose in making that order is again to try to reduce the scope for conflict between the two halves of the family until this matter can come back for a final determination.

Dated 1 May 2026



**THE HONOURABLE JUSTICE JALIL ASIF
JUDGE OF THE GRAND COURT**